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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,382	03/10/2004	Marian Trinkel	20811/0204770-US0	3246

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EXAMINER	
JACKSON, JAKIEDA R	
ART UNIT	PAPER NUMBER
2626	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/797,382	TRINKEL ET AL.	
	Examiner	Art Unit	
	JAKIEDA R. JACKSON	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In response to the Office Action dated July 7, 2008, applicant submitted an amendment filed on October 1, 2008, in which the applicant traversed and requested reconsideration.

Response to Arguments

2. Applicant's argue that the prior art cited does not teach or suggest speaking vocabulary/speech data into a vocabulary database in an automated manner using an audio module. Applicant's point to column 6, lines 13-15 which recites that "the new word is input to the expansion facility via the input device" and then points to column 5, lines 32-34, which recites "the input device may include a standard keyboard or other conventional means for inputting new words into the vocabulary expansion facility and the speech recognition engine". Applicant explains that the prior art cited does not disclose speaking vocabulary/speech data. However, Ittycheriah discloses that the vocabulary expansion can function with generalized speech recognition system such as the commercially available large vocabulary IBM Via Voice or Via Voice Gold systems (column 3, lines 32-58). That is that the vocabulary can be expanded via voice. Further, according to figure 1 of Ittycheriah, it shows a speech utterance input connected to the vocabulary expansion processor. Besides, a microphone is a well known input device and according to the passages cited by Applicant, a microphone is

an old and well known variant of an input device. Therefore, Applicant's arguments are not persuasive.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1, 3-4, 7-11 and 14-16** are rejected under 35 U.S.C. 102(b) as being anticipated by Ittycheriah et al. (USPN 6,363,348), hereinafter referenced as Ittycheriah.

Regarding **claim 1**, Ittycheriah discloses a method for at least one of generating and expanding a vocabulary database of a speech recognition system (vocabulary expansion; column 3, lines 35-51 and column 5, lines 20-54), comprising:

providing a computer-based audio module (computer-based; column 2, lines 60-64 with column 3, line 35 – column 4, line 14); and

training the speech recognition system (speech recognition) by acoustic training using the audio module (acoustic; column 3, line 35 – column 4, line 14),

wherein the training the speech recognition system is performed by:

providing the audio module with vocabulary data (vocabulary; column 3, line 35 – column 4, line 14 with column 5, lines 20-54); and

speaking the vocabulary data (figure 1; speech utterance and element 24 wit conventional input devices; column 5, lines 20-54) to the speech recognition system (speech recognition system) in an automated manner using the audio module so as to expand the vocabulary database (vocabulary expansion; column 3, line 35 – column 4, line 14 with column 5, lines 20-54).

Regarding **claim 3**, Ittycheriah discloses a method wherein the training the speech recognition system (speech recognition system) is performed by providing the audio module with vocabulary data from a speech database (column 3, line 35 – column 4, line 14 with column 5, lines 20-54).

Regarding **claim 4**, Ittycheriah discloses an automatic vocabulary generator wherein it provides the audio module with vocabulary data via a telecommunications network (column 3, line 35 – column 4, line 14 with column 5, lines 20-54).

Regarding **claim 7**, Ittycheriah discloses a method of expanding a vocabulary method further comprising creating the speech database by automated speech synthesis of text data using a speech synthesis unit (TTS synthesis; column 5, lines 20-54).

Regarding **claim 8**, Ittycheriah discloses a method further comprising providing the text data from a text database (text; column 5, lines 20-54).

Regarding **claim 9**, Ittycheriah discloses a method wherein the audio module includes a speech synthesis unit (speech synthesis), which converts text data to speech data (TTS; column 5, lines 20-54).

Regarding **claim 10**, Ittycheriah discloses a method further comprising providing the text data from a text database (text; column 5, lines 20-54).

Regarding **claim 11**, Ittycheriah discloses a method further comprising:

creating a text database (text) in an automatic manner (automatic; column 5, line 20 - column 6, line 4); and

providing the text data to the speech synthesis unit from the text database (synthesis; column 5, lines 20-54).

Regarding **claim 14**, Ittycheriah discloses a method wherein the creating the text database is performed by automatically (automatically) reading the text data from the at least one text data source using a data processing system and wherein the automatically storing (memory) is performed using the data processing system (processor; column 5, line 20 – column 6, line 4).

Regarding **claim 15**, Ittycheriah discloses a method comprising:

creating the speech database by automated speech synthesis of text data (TTS synthesis) from a text database using a speech synthesis unit (text; column 5, lines 20-59) and

analyzing and processing the text data prior to the speech synthesis (column 5, lines 20-59).

Regarding **claim 16**, Furman discloses a speech recognition system comprising:

a vocabulary database (vocabulary; column 3, line 35 – column 4, line 14);

a text database (text; column 5, lines 20-59); and

a computer-based audio module (computer based; column 2, lines 60-64 and column 3, line 35 – column 4, line 14) a speech synthesis unit (speech synthesis) configured to receive text data from the text database (text) by acoustic speech input (acoustic) and convert the data to speech data, the speech data stored in a speech database (column 3, lines 35-64 with column 5, lines 20-59).

wherein the speech data is spoken into the vocabulary database (vocabulary) in an automated manner (automatically) using the audio module so as to expand the vocabulary database (vocabulary expansion; column 3, lines 35-64 with column 5, lines 20-59).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 5-6 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ittycheriah in view of Furman et al. (USPN 6,049,594), hereinafter referenced as Furman

Regarding **claims 5 and 6**, Ittycheriah teaches a method for generating and/or expanding a vocabulary database of a speech recognition system, but does not specifically teach providing the audio module with vocabulary data is performed in a streaming mode.

Furman discloses an automatic vocabulary generator wherein it provides a streaming mode the audio module with vocabulary data is performed in a streaming mode (column 9, lines 48-60), such that a user can use a variety of networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ittycheriah's method wherein it teaches a streaming mode, as taught by Furman, to add flexibility to meet user needs (column 13, lines 14-18).

Regarding **claim 17**, Ittycheriah teaches a method for generating and/or expanding a vocabulary database of a speech recognition system, but does not specifically teach searching a telecommunications network.

Furman discloses a speech recognition system wherein the text database is generated by automatically searching a telecommunications network for text data related to a selected search term (telecommunication network; column 9, lines 48-60), such that a user can use a variety of networks.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ittycheriah's method as described above, to add flexibility to meet user needs (column 13, lines 14-18), as taught by Furman.

7. **Claims 12-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ittycheriah in view of Besling et al. (USPN 6,363,348), hereinafter referenced as Besling.

Regarding **claim 12**, Ittycheriah discloses a method for expanding vocabulary, but does not specifically teach using a search engine.

Besling discloses a method comprising:

finding the text data in an internal or external telecommunications network (internet) using at least one search engine, the text data being associated with at least one search term (search; column 9, lines 42-49);

receiving the text data from at least one text data source (text; column 9, lines 42-49); and

automatically storing the text data in the text database (column 7, line 66 – column 9, line 49), for up-to-date textual data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ittycheriah's method as described above, to create a language model which matches the context identifier and is also available for user by other users having the same interest (column 9, lines 42-49), as taught by Besling.

Regarding **claim 13**, it is interpreted and rejected for the same reasons as set forth in claim 12. In addition, Besling discloses a method wherein the telecommunications network includes the Internet (Internet; column 6, lines 1-37)

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAKIEDA R. JACKSON whose telephone number is (571)272-7619. The examiner can normally be reached on Monday-Friday from 5:30am-2:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626

/Jakieda R Jackson/
Examiner, Art Unit 2626
December 18, 2008